



PATENT

Attorney Docket No.: A-69850-1/DJB/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


In re application of:)
FAN, et al.)
Serial No. 09/779,202)
Filed: February 7 2001)
For: NUCLEIC ACID DETECTION)
METHODS USING UNIVERSAL)
PRIMING)

Examiner: Not assigned
Group Art Unit: 1645

COPY OF PAPERS
ORIGINALLY FILED

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on 12/26/01.

Signed: 
Fern S. Marder

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed March 30, 2001.

Applicant claims small entity status in accordance with 37 CFR 1.27.

Enclosed are the following documents:

- (1) Copy of Notice to File Missing Parts of Nonprovisional Application;
- (2) Declaration and Power of Attorney (2 counterparts);
- (3) 2 Assignments (copies) (for each of 2 assignors with different assignees);
- (4) 2 Powers of Attorney by Assignee (for each of 2 assignees);

- (5) Check for \$611.00 to cover the filing fee (\$370.00), 4 claims over 20 (\$36.00), the multiple dependent claim surcharge (\$140.00), and the missing parts surcharge (\$65.00) for a small entity (at the post-10/1/01 fee rates);
- (6) Petition for Extension of Time (five months);
- (7) Check in the amount of \$980.00 to cover a five-month extension for a small entity; and
- (8) Return receipt postcard.

The Commissioner is authorized to charge any fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-69850-1/DJB/RMS/DCF).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice of Missing Parts.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP



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1-17-02 MR

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/779,202	02/07/2001	Jian-Bing Fan	A-69850-1/DJB/RMS/DCF

CONFIRMATION NO. 5664

FORMALITIES LETTER



OC00000005922304

Robin M. Silva, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187

Date Mailed: 03/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$342.
 - \$72 for 4 total claims over 20.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1182.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o));
 - drawings submitted to the Office are not electronically reproducible. Drawing

01/22/2002 TL0011 00000339 09779202

02 FC:201
03 FC:203
04 FC:204

370.00 OP
36.00 OP
140.00 OP

09779202
370.00
+36.00
140.00
-65.00
980.00
Void date: 01/24/2002
01 FC:201
02 FC:203
03 FC:204
04 FC:205
05 FC:226

09779202
370.00 OP
36.00 OP
140.00 OP
65.00 OP
01/22/2002 09779202
01 FC:201
02 FC:203
03 FC:204
04 FC:205

sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

*A copy of this notice **MUST** be returned with the reply.*

Shewcase

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

SCANNED # 22